

BLD-164

March 22, 2007

**UNITED STATES COURT OF APPEALS FOR THE THIRD CIRCUIT**

C.A. No. 06-4356

DERIOUS J. JOHNSON

vs.

THOMAS CARROLL, et al.  
(D. Del. Civ. No. 05-cv-00237)

Present: MCKEE, FUENTES and WEIS, CIRCUIT JUDGES

Submitted is appellant's notice of appeal, construed as his request for a certificate of appealability under 28 U.S.C. § 2253(c)(1)

in the above-captioned case.

Respectfully,

Clerk

ORDER

The foregoing request for a certificate of appealability is denied because jurists of reason would not disagree with the District Court's conclusion that the appellant's claims are defaulted or meritless. Slack v. McDaniel, 529 U.S. 473 (2000).



By the Court,

/s/ Joseph F. Weis, Jr.  
United States Circuit Judge

Dated: April 24, 2007

*Marcia M. Waldron*  
Marcia M. Waldron, Clerk

ARL/cc: DJJ; TEB